HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 17477 of 2007

Between:

Nandela Srinag

... Petitioner

And

The Commissioner and Spl. Officer,
Greater Visakha municipal Corporation,
Visakhapatnam

... Respondent

:: O R D E R ::

Counsel for the petitioner : Shri G.L. Nageswara Rao

August 20, 2007

Per G.S. Singhvi, CJ

In this petition, the petitioner has made the following substantive prayer:

> " It is, therefore, prayed that this Hon'ble Court may be pleased to issue a Writ or order more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondent in threatening the petitioner about the demolition of the building bearing Plot No.5 in Sy.No.128/4, 129 of Chinamushidivada Village, situated in Naval Armament Depot Employees Co-operative Building Society Ltd. Colony, Chanakyanagar within the limits of Greater Visakhapatnam Municipal Corporation, as illegal, arbitrary and in violation of the principles of natural justice and consequently direct the respondent not to interfere with the peaceful possession and enjoyment of the petitioner without following the due process of law and grant such other relief as it deems fit and proper in the circumstances of the case."

After arguing the case for some time, Shri G.L. Nageswara Rao made a request that his client may be permitted to withdraw the writ petition with liberty to avail appropriate remedy by filing civil suit.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P.No.22376 of 2007 filed by the petitioner for interim relief is also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 20, 2007
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